



UNITED STATES PATENT AND TRADEMARK OFFICE

30  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,213	09/22/2000	Ynjiun P. Wang	A-68940-5/DCA	9838

7590 11/22/2002

Flehr Hohbach Test Albritton & Herbert LLP  
Suite 3400  
Four Embarcadero Center  
San Francisco, CA 94111-4187

[REDACTED] EXAMINER

SHERR, CRISTINA O

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

3621

DATE MAILED: 11/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/668,213	WANG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Cristina O Sherr	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-26 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> .	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. Claims 1 – 26 were examined.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) was submitted on 12 July 2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

### ***Specification***

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1 – 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry et al (US 5,805,702A) in view of Hoffman et al (US 5,613,012A).

6. Curry discloses a method for approving a transaction request between an electronic transaction system and a portable electronic authorization device carried by a user using an electronic confirmation, comprising steps of receiving at the portable electronic authorization device first digital data representing the transaction request;

providing information to the user regarding an ability to approve or modify the transaction request; and when the transaction request is approved by the user, receiving at the electronic transaction system second digital data representing the electronic confirmation of the transaction request; and wherein the receiving step is performed via a wireless communication port associated with the portable electronic authorization device (Col. 2 ln 14 – 67); wherein the electronic confirmation is encrypted by a user's private key (Col. 2 ln 14 – 67); wherein the electronic transaction system is a stock trading service system (Col. 2 ln 14 – 67); wherein the electronic transaction system is a delivery service system (Col. 2 ln 14 – 67); wherein the electronic transaction system is an auction service system (Col. 2 ln 14 – 67).

7. Curry does not, however, disclose the method of claim 1, above, wherein the providing information step includes providing an inquiry to the user to inform the user of predetermined actions and that the user may modify the predetermined actions; and the receiving step includes the step of receiving instructions from the user and communicating the instructions from the portable electronic authorization device to the electronic transaction system (Hoffman col 6 ln 8 – col 11 ln 25). Hoffman, however, does as noted above. It would be obvious to one of ordinary skill in the art to combine

the teachings of Curry and Hoffman in order to obtain greater security along with greater convenience in electronic transactions.

8. Claims 7 - 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry et al (US 5,805,702A) in view of Hoffman et al (US 5,613,012A).

9. Curry discloses a portable electronic authorization device for approving a transaction request with an electronic transaction system, using an electronic confirmation, comprising: a transceiver in the portable electronic authorization device configured to receive first digital data representing the transaction request; a display configured to provide information to the user regarding an ability to approve or modify the transaction request; and wherein the transceiver is further configured such that when the transaction request is approved by the user, the transceiver is configured to transmit second digital data representing the electronic confirmation of the transaction request; and wherein the transceiver is a wireless receiver (Col. 2 ln 14 – 67);  
wherein the electronic confirmation is encrypted by a user's private key (Col. 2 ln 14 – 67);  
wherein the electronic transaction system is a stock trading service system (Col. 2 ln 14 – 67);  
wherein the electronic transaction system is a delivery service system (Col. 2 ln 14 – 67);  
wherein: the electronic transaction system is an auction service system (Col. 2 ln 14 – 67).

Art Unit: 3621

10. Curry does not, however, disclose the portable electronic authorization device of claim 7, above, wherein the display is configured to provide an inquiry to the user to inform the user of predetermined actions and that the user may modify the predetermined actions; and the transceiver is configured to receive instructions from the user and communicate the instructions from the portable electronic authorization device to the electronic transaction system (Hoffman col 6 ln 8 – col 11 ln 25). Hoffman, however, does as noted above. It would be obvious to one of ordinary skill in the art to combine the teachings of Curry and Hoffman in order to obtain greater security along with greater convenience in electronic transactions.

11. Claims 13 - 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry et al (US 5,805,702A) in view of Hoffman et al (US 5,613,012A).

12. Curry discloses a method for approving a transaction request between an electronic point of sale transaction system and a portable electronic authorization device carried by a user, comprising the steps of entering product information at the portable electronic authorization device; receiving at the portable electronic authorization device a first digital data representing the transaction request; providing information to the user regarding an ability to approve the transaction request; when the transaction request is approved by the user, encrypting transaction approval data as second digital data representing approval by the user to purchase the item; and transmitting the second digital data to the electronic transaction system to approve the transaction request with the electronic transaction system (Col. 2 ln 14 – 67);

wherein the step of encrypting the approval data is performed using a public key cryptography technique using at least a user's private key (Col. 2 In 14 – 67); wherein the step of entering the product information includes using the keypad of the portable electronic authorization device to enter at least one of a product code, product name, manufacturing number, and quantity (Col. 2 In 14 – 67).

13. Curry does not, however, disclose the method of claim 13, above, wherein the step of entering the product information includes using a scanner in the portable electronic authorization device to scan at least one of a product code, product name, manufacturing number, and quantity (Hoffman col 6 In 8 – col 11 In 25). Hoffman, however, does as noted above. It would be obvious to one of ordinary skill in the art to combine the teachings of Curry and Hoffman in order to obtain greater security along with greater convenience in electronic transactions.

14. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Curry et al (US 5,805,702A) in view of Hoffman et al (US 5,613,012A).

15. Curry discloses a portable electronic authorization device for approving a transaction request with an electronic point of sale transaction system, comprising:  
a scanner in the portable electronic authorization device configured to scan product information (Col. 2 In 14 – 67);  
a receiver in the portable electronic authorization device configured to receive first digital data representing the transaction request (Col. 2 In 14 – 67);  
a display configured to provide information to the user regarding an ability to approve the transaction request (Col. 2 In 14 – 67);

when the user approves the transaction request, the portable electronic authorization device is configured to encrypt the transaction approval data as second digital data representing approval by the user to purchase the item at the point of sale location (Col. 2 ln 14 – 67).

16. Curry does not, however, disclose a transmitter configured to transmit the second digital data to the electronic transaction system to approve the transaction request with the electronic transaction system (Hoffman col 6 ln 8 – col 11 ln 25). Hoffman, however, does as noted above. It would be obvious to one of ordinary skill in the art to combine the teachings of Curry and Hoffman in order to obtain greater security along with greater convenience in electronic transactions.

17. Claims 18 - 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry et al (US 5,805,702A) in view of Hoffman et al (US 5,613,012A).

18. Curry discloses a method for approving a transaction request between an electronic point of sale transaction system and a portable electronic authorization device carried by a user, comprising the steps of entering product information at the portable electronic authorization device; receiving at the portable electronic authorization device a first digital data representing the transaction request; providing information to the user regarding an ability to approve the transaction request; when the transaction request is approved by the user, encrypting transaction approval data as second digital data representing approval by the user to purchase the item; and transmitting the second digital data to the electronic transaction system to approve the transaction request with

the electronic transaction system; and printing a receipt at a remote printer (Col. 2 ln 14 – 67);

wherein the step of encrypting the approval data is performed using a public key cryptography technique using at least a user's private key (Col. 2 ln 14 – 67);

wherein the step of entering the product information includes using a keypad of the portable electronic authorization device to enter at least one of a product code, product name, manufacturing number, and quantity (Col. 2 ln 14 – 67);

wherein the step of entering the product information includes using a scanner of the portable electronic authorization device to scan at least one of a product code, product name, manufacturing number, and quantity (Col. 2 ln 14 – 67);

wherein the step of printing the receipt step includes establishing a connection between the portable electronic authorization device and the printer (Col. 2 ln 14 – 67);

wherein the step of establishing a connection between the portable electronic authorization device and the printer is performed by entering printer identification information into the portable electronic authorization device (Col. 2 ln 14 – 67);

wherein the step of establishing a connection between the portable electronic authorization device and the printer is performed by entering subscriber identification information into the printer (Col. 2 ln 14 – 67);

wherein the step of establishing a connection between the portable electronic authorization device and the printer is via infrared (Col. 2 ln 14 – 67).

19. Curry does not, however, disclose the method of claim 22, above, wherein the step of establishing a connection between the portable electronic authorization device

Art Unit: 3621

and the printer is via short range RF (Hoffman col 6 ln 8 – col 11 ln 25). Hoffman, however, does as noted above. It would be obvious to one of ordinary skill in the art to combine the teachings of Curry and Hoffman in order to obtain greater security along with greater convenience in electronic transactions.

***Conclusion***

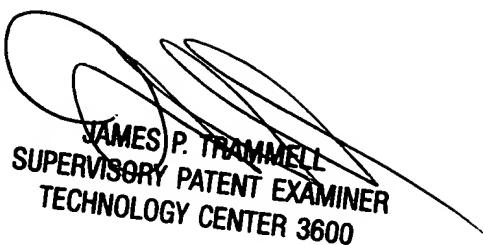
20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
21. Hasebe et al (US 5,392,351A) discloses an electronic data protection system.
22. Curry et al (US 5,748,740A) discloses a method, apparatus, system and firmware for secure transactions.
23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina O Sherr whose telephone number is 703-305-0625. The examiner can normally be reached on Monday through Friday 8:30 to 5:00.
24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.
25. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Application/Control Number: 09/668,213  
Art Unit: 3621

Page 10

\*\*\*

November 15, 2002



JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600